

REMARKS

The Examiner rejected dependent claim 21 under § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner argues that the specification does not reasonably convey to one of skill in the art how the strands can be “partially transposed.” We submit that a person of skill in the art would understand what is meant by the phrase partially transposed as being different from a cable that is formed of strands that are fully transposed (i.e., each strand assumes the position of every other strand at some point along the length of the cable). We further submit that independent claim 1 (from which claim 21 depends) covers either form of transposition. Nevertheless, in order to expedite allowance of the application, we have cancelled dependent claim 21 without prejudice and will consider seeking specific protection of the feature in a continuation application.

Prior Art Rejections

The applicant objects to the examiner's rejection of claims 1-35 as being anticipated by Otto et al. Otto claims priority to U.S. patent 5,885,938, filed November 7, 1995. The application currently under examination claims priority to U.S. application 08/554,814, also filed on November 7, 1995. In order to be considered as prior art, the Otto patent must have been filed before the filing date of this application. A filing date of the same day does not qualify the reference as prior art. We submit, therefore, that the examiner's rejection is improper and should be withdrawn.

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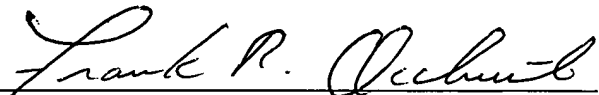
Applicant : Gregory L. Snitchler et al.
Serial No. : 09/769,705
Filed : January 25, 2001
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Attorney's Docket No.: 05770-038002 / AMSC-152
Div.

Please apply any other charges not covered or any credits to deposit account 06-1050,
reference 05770-038002.

Respectfully submitted,

Date: December 8, 2003


Frank R. Occhiuti
Reg. No. 35,306

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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